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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,054	06/20/2003	John Marshall	007-2	5532

30080 7590 07/21/2006

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EXAMINER

SAIN, GAUTAM

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/601,054	Applicant(s) MARSHALL, JOHN	
	Examiner Gautam Sain	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) This is a Final rejection in response to amendments/remarks filed on 4/27/2006.
- 2) Claims 1-6 are pending.
- 3) Effective filing date is 1/18/2002.
- 4) Examiner withdraws rejection under 35 USC 101 and 35 USC 112.
- 5) The Examiner requests the Applicant to please update the status of applications listed in the specification, if needed.

Claim Rejections - 35 USC § 103

- 6) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6-1) Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barg et al (USPGPub 2002/0070953, publish date Jun 13, 2003), in view of Manohar et al (US 6572662, filed May 15, 1998)..

Claims 1 and 4, Barg teaches *parsing the dynamic object model of the web page and dynamically determining which elements of the page are objects that have statistics available and determining the location and type of an element which is an object having statistics available*. For example, Barg discloses a web site reporting tool focus on reporting, including parsing/mining engine for web server files. The engine collects, processes, stores and reports on high-volume web site activity (para 13).

Barg teaches the amended limitation of *constructing a graphic object that conveys information to a user based on statistical information available for the element*. For example, Barg discloses an interactive web site activity data visualization system that allows a user to dynamically interact with various graphical data displays generated from the parsed web site activity logs (para 17).

Barg does not expressly teach the amended limitation, but Manohar suggests modifying the DOM of the web page so that a combined view of web page overlaid with the graphic object in close proximity to the element is displayed when the DOM is rendered by an HTML rendering engine. For example, Manohar discloses dynamic customized web tour where a web browser is used to show touring history in the tour history window with multiple frames to depict parallel visitation branches in the tour. The history and status of the tour is displayed in an additional frame referred to as the tour history and a tour map window maps the current traversal over the thus far discovered touring space associated with the user (col 11, line 55 – col 12, line 4; Fig 11, items 1130, 1170, 1180). The Examiner interprets this equivalent to the claimed modification of the DOM because the web page is broken down into frames (item 1130) where one frame shows the tour map (item 1170). The Examiner interprets Manohar's teaching of a browser broken down into multiple frames as equivalent to the claimed 'view of web page overlaid' because the frames divide a web browser page into parts by depicting sections on top of the web browser user interface and overlapping the browser space.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Barg to include frames that divide a web browser to show history

displayed in the additional frame as taught by Manohar, providing the benefit of customizable guided tour of portions of the World Wide Web and to monitor and dynamically adapt to the tour in response to information such as behavior of like-minded users and maintain user statistics (col 3, line 26; lines 54—60).

Claims 2 and 5, Barg teaches constructing a graph depicting an available statistical quantity for the first element. For example, Barg discloses graphical data displays (para 17).

Claims 3 and 6, Barg teaches constructing a chart depicting an available statistical quantity for the first element. For example, Barg discloses a pie chart as a report (para 16).

Response to Arguments

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection. The Applicant argues that none of the cited references suggest the amended claim limitation of modifying the DOM of Web page so that graphical object, representing statistics available for an element, is displayed in close proximity to the element when the DOM is rendered (Remarks, page 5).

To address this amended claim limitation, the Examiner introduces the Manohar patent reference because Manohar discloses a dynamic customized web tour where a web browser is used to show touring history in the tour history window with multiple frames to depict parallel visitation branches in the tour. The history and status of the tour is displayed in an additional frame referred to as the tour history and a tour map window

maps the current traversal over the thus far discovered touring space associated with the user (col 11, line 55 – col 12, line 4; Fig 11, items 1130, 1170, 1180). The Examiner interprets this equivalent to the claimed modification of the DOM because the web page is broken down into frames (item 1130) where one frame shows the tour map (item 1170). The Examiner interprets Manohar's teaching of a browser broken down into multiple frames as equivalent to the claimed 'view of web page overlaid' because the frames divide a web browser page into parts by depicting sections on top of the web browser user interface and overlapping the browser space.

Applicant argues for claim 8 (Remarks page 5, bottom), however only claims 1-6 are pending in the application (see Remarks, page 4, top).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GS 7/18/16

GS


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